

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN FEDERATION OF GOVERNMENT
EMPLOYEES, AFL-CIO, *et al.*,

Plaintiffs,

v.

U.S. OFFICE OF PERSONNEL MANAGEMENT,
et al.,

Defendants.

Case No. 25-cv-1237-DLC

**[PROPOSED] ORDER
GRANTING PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

For the reasons stated in the accompanying Memorandum Opinion issued today, it is hereby **ORDERED** that:

- (1) OPM Defendants¹ are enjoined from disclosing to DOGE Defendants,² including all DOGE agents,³ any OPM records, as defined by the Privacy Act; from granting DOGE Defendants, including all DOGE agents, access to OPM's records; and from allowing such Defendants and agents to obtain personal information contained in those records of Plaintiffs and members of Plaintiff organizations;
- (2) OPM Defendants are enjoined to ensure future disclosure of individual records will occur only in accordance with the Privacy Act and the Administrative Procedure Act;
- (3) DOGE Defendants, including all DOGE agents, are enjoined to impound and destroy

¹ "OPM Defendants" refers to the U.S. Office of Personnel Management and its Acting Director.

² "DOGE Defendants" refers to the U.S. DOGE Service, its Acting Director, the U.S. DOGE Service Temporary Organization, and Elon Musk.

³ "DOGE agents" refers to individuals whose principal role is to implement the DOGE agenda as described in Executive Order 14,158 and who were granted access to agency systems of records for the principal purpose of implementing that agenda.

all copies of Plaintiffs' and union Plaintiffs' members' personal information that OPM has disclosed to them;

- (4) OPM Defendants are enjoined to establish appropriate safeguards to ensure the security and confidentiality of Plaintiffs' and union Plaintiffs' members' records and to protect against any anticipated threats or hazards to their security or integrity, including, but not limited to, the security risks created by DOGE agents' access; and
- (5) Defendants are enjoined to file a status report within 48 hours of the issuance of this Order indicating whether any DOGE Defendants or agents continue to have access to any OPM systems that contain records and whether DOGE Defendants, including all DOGE agents, have destroyed all copies of Plaintiffs' and Plaintiffs' members' records.

DATED: New York, New York

Denise Cote
United States District Judge